G R S App [illegible] IX 4]

1942

File No 111-41

Previous References
MY 62-35-48 574 67

(MY)

Serial Nos 37 38 97, 119, 121 129 136 147 122,

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 8

Part B for Aug 43

SUBJECT

Delegation of certain powers to the Chief Officer, Hassan Town Municipality

2 Mr D.C Hassan Dist
L 1743 & 10-8-43
Issues certain instructions

7/9

1802

K

General and Revenue Secretariat | M/ File No | of 194 / | [App F III-2

Serial No	
	Letter no ML C 1027/41-42 dated 21-9-41 from the Dy Govt Commissioner, Hassan Dist, soliciting instructions as to whether the Chief officer of Hassan Town Muspty may under the existing law be empowered to dispose of applications relating to House Building Licence.
	1) It is stated that the Municipal Council have resolved that the power of disposing of the said applications may be retained by the Managing Committee alone & as to be in accordance with the bye-laws in force. The D C will be requested to forward the bye-laws referred to above [It appears the power in question has been delegated to the Chief officer in Shimoga Town Muspty. A copy of the G.O in which the Chief officer of Shimoga Muspty was empowered will be got from this officer and he has been separately addressed]
	2) Submitted with a draft letter to the D C Hassan Dist.
	3) Put up

Chief Officer Shimoga has been requested to send a copy of the G.O on the subject in force in Shimoga

8/11/41

6/11/41

NOTE—Cont Sheet

Reply rec'd 20/11/41

6/11/41

WI/C41 5—GPB—5 000—23 10 41

1802

2) Disposal of House Building License applications by the Chief officer Hassan Town Municipality

ML File No of 1941

General and Revenue Secretariat

Serial No

4 The collection containing the discussions on a similar subject relating to the Shimoga Town Municipality is put up as directed, and kind reference is invited to para (24) of the notes thereon. — ML 12-3-41 Sls 5 & 6 — Flag A

5 In view of the statutory provision in clause (a) of Section 211 of the Town Municipalities Act, 1933 the Chief officer has to exercise the power relating to the disposal of House Building License and therefore the opinion expressed by the D C Hassan Dist appears to be correct. — P.U.D

6 The Dy Comr, Hassan Dist may perhaps be informed on the lines of this office letter dated 28-11-36 to the Dy Comr, Shimoga Dist. — Flag Y

7 A draft reply will be put up accordingly, if approved.

Law Secy 2/1/42

27/12/41 Ex 1/1/42

SECY LAW DEPT 2 JAN 1942 GOVT OF MYSORE

8) The resolution of the Municipality is against the statutory provisions the Chief Officer is the licensing authority under S 211(a) of the Town Act Such a power cannot be delegated

Re Enquiry to grant House building Licence
— Chief Officer Hassan Mdlty

(3)

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

or transferred The Chief Officer has to exercise the powers independently of the Managing Committee

9) The resolution may not be approved

Minister
L S G

Hm
2/6/42

M/LSG
6/6/42

10) The municipality may be asked to revise the bye-laws there has been unnecessary delay in the disposal of this paper

Hm
5/6/42

11) Submitted with a draft letter to the Dy Comr, Hassan Dist

Hm
14/6/42

12) For perusal before issue

Sl
15/6

Lawsec
15/6/42

13) Hm
17/6/42

14) Issue

Lawsec
17/6/42

To
The Dy Comr, Hassan Dist—
No L6248 dt 22-1-42
issues certain instructions

Recommended
Not put up since the
Dy Comr's petition
dt 9-2-42

Subs

NOTE —Cont Sheet

OFFICE OF THE MINISTER FOR L S G & P H
Dated 3.6.1942
No 4430

SECY LAW DEPT
493
10 JUN 1942
GOVT OF MYSORE

u) Delegation of power to the Chief Officer of Hassan Town Mpl'ty in the matter of the disposal of House Building Licence applications

M/L File No. 111 of 1941 1350/2 General and Revenue Secretariat

Serial No	
121	Letter no ML C 10 27/41 d 25-8-42 from the D C Hassan bgst- Stating that the Hassan Town Municipal Council are purposely putting off the subject and requesting to direct the Municipal Council to adhere to the provisions of the Municipal Act-
	16) The report of the D C Hassan bgst- is submitted for perusal and orders - vide para 11 supra
	Lewsey 17) 1/9/42
	18 The Municipal Council requires to be guided by the Council may be informed - that if the Rules are not framed in a reasonable time, necessary action in the matter will be taken by the Govt under S 205 r 204 Mun Act- SG
	2-9-42
	19 2 9 42
	2-9-42
	20 D/M/L

SECY LAW DEPT 23-9-1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Date 2 9 42 No 1955

3573/42

Delegation of powers to the Chief Officer
1350/47 Hassan Town Municipality in the matter of disposal of applications for House Building Sites (5)

General and Revenue Secretariat

ML File No 111 of 1942 3143/L [App F, III—2

35-28

L.

Serial No	
21	Submitted with a draft letter to the D C Hassan (Brst) Kmn 3/9/42 22/9 Spre GS 9/9/42
	To
	The D C Hassan (Brst) No L-2782 dt 8-9-42
	forwards certain instructions and
Sub A	calls for a report
GS 11/9	
	Letter no ML a 1027/61-42 dated 16-11-42 from the Deputy Commissioner, Hassan (Brst) forwarding for Sanction Rules framed by the Hassan Town M C for the delegation of certain powers to the Chief officer of the said Municipality
Hag W	23) These Rules have been framed under Sections 35 and 211 of the M T M Act, 1933, and in accordance with the instructions issued in this office Letter dt 16-10-42
Hag R	24) They may perhaps be approved after consulting the Land Section
SEC SEPT 1942 GOVT MYSORE	Kmn 22/11/42 25) Law reg 23/11/42
	26) For favour of advice Asst Leg Adv Land Section Cus 24-11-42 for 24/11/42

NOTE—Contn Sheet

WD 04155—GPB—55 000—23-10-42

Law No 107/42
26 11 1942

2644

6

File No of 194

General and Revenue Secretariat

Serial No

27) The Rules in Flag W are for Secretary They purport to have been framed under Secs 35 & 211 of the U T L Act 1933 They are in regard to delegation of the Powers of the Governor General & the Chief Officer

28) It must be noted that S 211 of the Act, deals only with the Powers of the Chief Officer may exercise under the Act It does not deal with the delegation of the Powers of the General & the Chief Officer the Section that deals with the delegation of Powers of the Governor General & the Chief Officer & other Officers is Sec 35 of the Act Hence as the rules contemplated are for the delegation of the Powers of the General & the Chief Officer, they have to be framed only under Sec 35 of the Act Sec 211 should therefore be deleted

29) Rule 1 is superfluous as the Chief Officer has, by virtue of Statutory powers, the right to exercise such powers & as such there need not be any direction as noted in Rule 1. It should be deleted wholly

30) Rule 4 is vaguely worded, & that also seems to be wholly superfluous for, under Sec 211 (2) the power under Sec 90, Sec 91 & Sec 92 and Sec 94 have been

J

delegates to the Chief Officer under the new section the power to collect Municipal claims as provided for in Chapter VIII of the Act. If the Council has any claims other than those provided for in Chapter VIII, then the Rule must be framed in the prescribed manner & the Rule as it is framed does not seem to be in accordance with the Act.

31) Even Rule 9 seems, to be very vaguely worded & undesirable. See 211 (4) of the Act permits Chief Officer is empowered to do the duties delegated under Sec. 83 of the Act, but that does not mean that the Chief Officer should be the authority to sanction the action of the Chief Officer has to be sanctioned by the Council as clearly stated in the Rule

32) As re: Rule 10, it is otherwise, it should be wholly deleted as Sec 35 of the Act does not empower the Council to frame such a Rule as Rule 10 & as such it is ultra-vires

33) Rules 2 & 3 may be combined together & any one Rule to that effect may be framed the Rule may be worded as follows.—

34) " All Official communications received & sent out on behalf of the Municipal Council, & communications from all Officers & Agents to the President, Vice President, or the Council shall be addressed through the Chief Officer

35) Please no comments to offer as re.

Rules for the delegation of powers to the Chief officer Harihar Town Mpltty

Rule 5 & Rule 7

36) Both on re Rules 6 & 8, I would say that they are inaptly worded & Rule 6 would be worded as follows:- "The Municipal Executive Engineer, Engineer, the Sanitary Inspector shall submit the returns of the work done by them, every week, to the Chief Officer who shall check and return the same by each Thursday." As re Rule 8, it is not necessary to use the word "Accounts" in the Rules ("Accounts" or "account" as may be used) "he shall ... accounts or accounts" as may be. Also I think it would be made clear in the Rules that the Chief Officer is the Secretary

38) Both Secy

(c) The suggestions indicated in the foregoing paragraphs have been incorporated in the draft bye-laws & it has been suggested by the Asst Secy, Law, that Rules nos 8 and 9 (revised nos 5 and 6) may be made clear. As the intention of the Govt is not (in respect of these clauses) to make any fundamental change, they have not been modified.

41) Submitted with draft orders.

42) Placing upon the T P Records

43) Recd instructions in person

Rules for the delegation of powers to the Chief officer, Hassan Town Hall

Continuation Sheet — File No / Current No — of 3143 Page 9

44) A C Copy of the G.O containing the rules re delegation of duties and powers to the Vice-Presidents of Town Municipalities by the Presidents, as put up as directed by the Asst Secy

In View of Rule 4 of the Said Rules, no powers delegated to the Chief officer can be exercised by the Vice-President

45) The main point in this case is missed.

That was required to be done is to modify the standing bylaws in force in the Valf so as to empower the Chief officer to deal with Housebuilding license applications instead of the Managing Committee as it is now authorised. Has this been done at all? Pl put up the draft bylaws of the Hassan Town Valf

47) If the draft new sentence have to be approved, an enquiry has also to be made whether any of the powers mentioned therein have been delegated to the Vice Presidents and are being exercised by them, with reference to the no & q on file 43/ Pdl 118 38-88 295/93

The other points refer to in the opinion of the Law section above & may also be communicated & revised draft rules called for. Pl dispose

Sd/-
31/12/93

10) Rules for the delegation of powers to the Chief Officer, Hassan Town Municipality-

Continuation Sheet ML File No / Current No 111/3143/1 of 4p-2 Page 67

b) A copy of the Hand Book of the Hassan Town Municipality Containing the bye-laws in force in that Municipality as put up

by) Submitted with a draft letter to the D C Hassan for signature as directed

13/1/43

50) The subject matter of this file specifically relates to the deletion of the rule no 23 according to minutes of the meeting Committee of the Hassan Town Municipal Council regarding the power of granting licenses for building houses in Municipal limits; as it is contrary to the provisions of the T P Act whereby such powers vested in the Chief Officer instead of being acted as proposed, the Municipal Council have got at present and proper citizen of the town no necessity at present. Hence a draft letter requesting the D C Hassan to advise the Hassan Town Municipal Council to take specific action with regard to the point at issue is putting for approval.

Re: 5 of the book put up.

Lawrence L
13/1/43

Put up may be seen as per endorsement

Noted SG 15/1/43

15/1/43

27/1/43 27/1/43

OFFICE OF THE MINISTER FOR L S G & P H
Date 15/1/43
No 5421
RECEIVING SEC
20 JAN 1943
GEN 6

WD 1140—GPB—50 000—5-11-42
53 issue

Rules for the delegation of powers to the Chief Officer of Hassan Town Municipality

101

ntinuation Sheet 1/L File No / Current No 3143/ of 42 101 Page

To

The D.C Hassan West-

No L7395-d29-1-43

2 Issues certain instructions and calls for reports.

Letter no MLC 10 27/14-42 d 29-6-43 from the Dy Comr, Hassan forwarding revised rules framed by the Hassan Town Municipal Council regarding the appointment and constitution of the Managing Committee, the delegation of powers and the conduct of business at the meeting of the said committee

It was directed that the Hassan Town M C should delete rule no 23 of the rules on the above subject so as to be in conformity with the provisions of the Statutes in the matter and to revise the municipal bye-laws in force suitably

The Hassan Town Municipal Council have accordingly deleted rule no 23 referred to above and the rules relating to the delegation of powers to the Managing Committee of the said M C and the municipal bye laws of the Municipality have been suitably revised by the M C and they may perhaps be approved after consulting the Local Section

Ref to paras 5 to 13 supra

Put up the book containing the municipal Bye laws of the Municipality for perusal

Jol-2 Rules for the delegation of powers to the Chief officer of the Hassan Town Municipality

A copy of the Hand Book containing the Rules and bye-laws of the Hassan Town Municipality is put-up as directed

K 23/5/43 5) The Hassan Town Mel are agreeable to delete rule 23 of the rules relating to the conduct of business and the powers exercised by the Managing Committee This may be approved.

5) Similarly, they have resolved to amend the house building bylaws in force in the Mcty so as to invest certain powers to the Chief Offr of the Mcty in regard to the grant of ~~Permits~~ building licences This may also be approved.

6) It was further seen that advantage is taken of this occasion to modify certain rules relating to the working of the Managing Committee There is no authority for the President to do so as seen from the resolution These rules were framed under the Mysore Mcl Act of 1906 and are very old, having been framed in the year 1916 Similarly the bylaws relating to the construction of buildings were framed in the year 1922 They require to be revised according to the provisions of the Town Mcls Act of 1933

Delegation of certain powers to the Chief Officer, Hassan Town Mh

Con[illegible]jon Sheet Mel File No / Current No of 1941-42 Page 3

The Hassan Town Municipal will accordingly be advised to take necessary action to bring the bye laws up to date so as to be in accordance with the provisions of the Mysore Town Municipalities Act of 1933.

61) A draft letter is putup for approval

Law dept 27/7/43

P & B may be approached

Law 28-7-43

Mel Rec 2 Sg

for Law 31/7/43

Law 2-8-43

for Secy 4/8/43

To

The D C Hassan Dist-

No L1743 dt 10-8-43

Conveys approval to delete Rule 23 of the rules relating to the appointment and constitution of of the Managing Committee and issues certain instructions

For orders if this may be B' record now and taken up when revised bye-laws are received from the Hassan Town Municipal Council.

yes for 28/8/43

May be addressed accordingly Law 26/7/43

GOVT OF MYSORE SECTL DEPT 28/7/43

OFFICE OF THE MINISTER FOR L S G & P H Date 28 7 43 No 760

TYPING SECTION GEN & REV

A/

B

Jr 3/8

WD 1140—GPB—50 000—5-11-42

1027

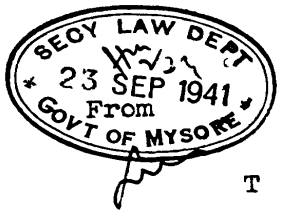
No ML.C. ~~1027~~ /41-42

encs 2

1802

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT,

Dated Hassan, the 21st September 1941



MC 114-41-37

T Ramaiya, Esq , B A.(Hons) ,
Deputy Commissioner, Hassan District

To

H V Narayana Rao, Esq, B A LL B ,
Secretary to Government, Law Department, Bangalore

Sir,

Subject - Delegation of power to the Chief Officer of Hassan Town Municipal Council, in the matter of the disposal of House Building License applications

In forwarding herewith, a copy of letter No H C 2/39-40 dated 1-9-41 from the President, Municipal council, Hassan, on the above subject, I have the honour to state as follows -

During the course of the inspection of the Municipal office, it was observed by me that many of the byelaws in force, had not been revised suitably in accordance with the new Municipal Act of 1933 though instructins had been issued during the previous two inspections to take necessary action to revise them As the old practice of disposing of house building license applications was continued with the Managing Committee, even after the appointment of Chief Officer, instructions were issued in this office official memorandum No C Per 3 2/40-41 dated 15-6-41 that, as the power of dealing with house building license applications was conferred upon the Chief Officer under Section 211(a) of the Town Municipal Act of 1933, the matter may be left to the disposal of the executive as per statute

The Municipal council have, at their meeting held on 30-8-41, resolved that the power of disposing of the said applications may be retained by the Managing Committee alone also as to be in accordance with the byelaws now in force The byelaws that are now being followed and are referred to in the council resolution are those framed prio to the introduction of the new Municipal Act and at a time when th

there was no Chief Officer It may be seen that a separate Chapter has been incorporated in the new Municipal Act, specially relating to the appointment and powers of the Chief Officer while the same is not found in the old Regulation of 1906 Strictly speaking, the Municipal council should have framed fresh byelaws after the passing of the new ~~Municipal~~ Act of 1933, so as to be not inconsistent with it and not continued the old byelaws The powers vested by section 211 on the Chief officer are statutory and obligatory and not discretionery and no council can, I think, withdraw that power from him on the strength of a byelaw inconsistent with the present Act The byelaws whether passed prior to or subsequent to the Act can be binding on the Chief Officer with regard to the conditions regulating the grant of licenses and not on the licensing power itself, which is specifically conferred on him by the Act In other words, a byelaw under the Act must be consistent with it and cannot abrogate a power vested by it on the Chief Officer Under Section 210, the Chief officer has no option but to exercise the power specifically vested in him by the Act, subject only to the general control of the President

In the foregoing circumstances, I am of opinion that the licensing power must be left to the Chief Officer and that such portions of the old byelaws as are inconsistent with the provisions of the new Act have no force They should be ammended or repealed, if the Municipality cannot at once revise the entire byelaws, as instructed during inspection I request for a definite ruling of Government on the point of law involved and instructions whether the Chief Officer should or should not exercise licensing powers independently of the Managing Committee

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

Bks

Letter No H C 2/39 40 dated 1st September 1941 from the President, Town Municipal Council, Hassan, to the Deputy Commissioner, Hassan District

---

Adverting to para 2 of your office, official memorandum No=C Per 3 2/40 dated the 16th June 1941, and in pursuance of your observations made in the notes of your inspections of this Municipality - during the previous years in the matter of delegating the Chief Officer the power to deal with all the house building licenses, as contemplated in Sec 211 (a) and (b) of the Mysore Town Municipalities Act 1933, I have the honor to state, that Memo No H C 2/39 dated the 21st June 1941, was issued by Mr B S. Ramaswami, the then President, empowering the Chief Officer to deal with all building licenses and a copy of the same was also forwarded to your office, with this office memo of even number and date This memo having been placed for the information of the Municipal Council in their meeting held on the - 28th June 1941, the question was deferred The Chief Officer has been exercising this power since the 21st June 1941

2 The Municipal Council while forming the several Committees for the year 41-42, took up this subject in connection with the formation of the Managing Committee and resolved to retain the powers to deal with house building licenses by the Managing Committee itself A copy of the resolution dated the 30th August 1941 is herein enclosed for favour of information

3 In these circumstances, I seek your kind instructions as to whether this office memo dated the 21st June 1941, may be continued to be in force, or whether the resolution of the Municipal Council may be given effect to, The favour of an early reply is requested

---

"Copy"

Deputy Commissioner,
Hassan District

21 9

Proceedings of the Ordinary/general meeting of the Hassan Town Municipal Council, held at 8. 30 A. M in the Town Municipal Office, Hassan, on Saturday the 30th August 1941.

Present. 19 Absent 1

x x x x x

12. Formation of the several Committees for the year 1941-42

(1) Managing Committee.

Resolution. Read deferred subject No. 3 (1) dated the 28th June 41. The Council unanimously resolved that the powers of grant-house building licenses should be retained as per Bye-laws by the Managing Committee alone, since it is not inconsistent according to section 211 (a) of the Mysore Town Municipalities act

It is unanimously resolved that the Vice President is elected to the Managing Committee.

The members for the Managing Committee were elected by Vote by ballot .he results were as follows.-

Messrs 1. Dr Chakrapani Iyergar.
2. Ghouse Mohiyudin.
3 H K. Siddiah and
4. B A Srinivasiengar.

for the year 1941-42

x x x x x

"Copy"
G Srinivasaraya
Vice President
Managing Committee

Sd/ B A Sampath
President
Town Municipal Council, Hassan

Appendix F G—1]

SUBJECT

Section Rel

File No 111-41

Serial No 38

Diary No of letter replied to

No 46248

To

The D C Hassan Dist-

General and Revenue Secretariat

( )

the *19*

Sir,

Date of issue 22nd Jan 7-42

With reference to your letter no Mh C 1027/41 42 d 21-9 dated 5th Jan 42 ~~relating~~ soliciting instructions as to the ~~matter of~~ whether the Chief Officer of the Hassan Town Municipality ~~may under the existing law be empowered~~ in the exercise of the power to dispose of applications relating to House Building Licenses, I am directed to state that as the power in question has specifically been delegated to

Signed by Mr-G Ramachandra Rao

List of enclosures

Copied by

Examined by

WD 03695—GPB—30 000—29 1 40

the Chief officer under section
211 of the Mysore Town Municipalities Act, 1933
it has to be exercised by him only
and not by the Managing Committee as
resolved by the Municipal Council, without reserving his right as provided in
to be required. I am directed to add that
the Municipal Council
may be instructed to revise the
bye-laws on the subject so as to
bring them into conformity with
the provisions of the Mysore Town
Municipalities Act, 1933, as
the existing bye-laws are not valid being
repugnant to the spirit of the said Act.
Very early action is called for
J Land Etc.

Hon. 17.1.42
Secy to Govt
Law Dept.

15/1

Hassan

132/L

Office of the Deputy Commissioner,
Hassan District,
Dated, Hassan, the 3rd July 1942

No M1 C 1022/41

Encl One

From

N S Hirannayya, Esqr , M A ,
Deputy Commissioner,
Hassan District,
H a s s a n

To

A Sundararaja Rao, Esqr , B A , B L ,
Secretary to Government,
Law Department,
B a n g a l o r e

SECY LAW DEPT
1 JUL Y 1942
GOVT OF MYSORE

Subject Delegation of powers to the Chief Officer of Hassan Town Municipality to the issue of House-Building licenses

--

Adverting to correspondence ending with your letter No L 6248/ M1 111-41-38 dated 22-1-1942 on the above subject, I have the honour to forward herewith a copy of letter No H C 2/39 dated 20-6-42 received from the President, Municipal Council, Hassan, for favour of information

It will be seen therefrom that this subject is being deferred needlessly without any reason The Municipal President however adds that a final reply will be sent after the Council's decision He has been asked to dispose of the matter in the very next meeting without allowing the subject to be deferred further

I have the honour to be,

S i r,

Your most obedient servant,

TGS/-

Deputy Commissioner,
Hassan District

Letter No H C 2/39-40 dated 20-6-42 from the President, Municipal Council, Hassan, to the Deputy Commissioner, Hassan District

--

Subject Revising the bye-laws of this Municipality so as to delegate to the Chief Officer the power of granting house building licenses

--

With reference to your No C 1027/41 dated the 24th January 1942 and the subsequent reminders re the above, I have the honour to state that the reference was placed before the Council, meeting on the 31st January 1942 to be read and recorded and the Council deferred the subject The subject was again placed before the Council on the 28th Feb 42 when they referred the matter to the Bye-law Committee The Bye-law Committee was convened on the 9th March 1942, but it did not meet for want of quorum

The Bye-law Committee met on the 16th March 1942, but deferred the subject Finally the Bye-law Committee approved on 13th April 1942 a set of Bye-laws delegating powers to the Chief Officer, Vice-President and the Managing Committee to be substituted in place of the old bye-laws

The approved bye-laws were brought before the Council on the 18th April 1942 when they deferred the subject to be brought before a special meeting Accordingly Bye-laws were brought before the Special Meeting on 13-5-42 when the Council deferred the subject The subject was again brought before the Council on the 20th June 1942 when they have again deferred the subject

In the above circumstances the reference is still pending The final reply will be sent after the Council's decision on the Bye-laws in question

---

" Copy "

Deputy Commissioner,
Hassan District

TGS/-

132 84

No M L C 1027/41

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 2nd August 1942.

mc 111-41-119

GEN & P SEC 7 AUG 1942 LSD

From

N S Hirannayya, Esq , M A ,
Deputy Commissioner, Hassan District

To

SEC DEPT COVT OF MYSORE

C Narayanaswamy Naidu, Esq., B A , B L.,
Secretary to Government, Law Department, Bangalore

Sir

Delegation of powers to the Chief Officer of Hassan Town Municipality to the issue of House building & licenses

---

In continuation of this office letter No Ml C 1027/41 dated 3rd July 1942 on the above subject, I have the honour to forward herewith a copy of letter No H C 2/39-40 dated the 21st July 1942 together with the copy of its enclosure received from the President, Municipal Council, Hassan, I have the honour to state that it will be seen therefrom that the subject was placed before the Municipal Council at its meeting held on the 18th July 1942 and it was not discussed but it was again deferred I am afraid the Municipal Council have not viewed the matter in a serious light and I have therefore requested the President, Municipal Council, to put the subject before the next meeting of the Council and see that a final resolution is arrived at and communicated After hearing from him, I shall address a further communication to you in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

I S D 2

Submitted for perusal
Further Communication promised
will be awarded, if applied

yes
GS
18/8

4/8/42 GS 4/8/42 GS 4/8

Letter No H.C 2/39-40 dated 21st July 1942 from the President Town Municipal Council, Hassan, to the Deputy Commissioner, Hassan

---

With reference to your No Ml C 1027/41-42 dated the 3rd July 1942 re the delegation of powers to the Chief Officer to issue house building licenses, I have the honour to state that the revised draft Bye-laws delegating powers to the Chief Officer and other were placed before the Municipal Council meeting on the 18th July 1942 for its approval The inordinate delay on the part of the Council in ~~x~~ disposing the matter was specially brought to the notice of the Council But unfortunately the subject was again deferred A copy of the resolution is enclosed

In the circumstance, I am unable to give final reply in the matter

---

' COPY '

Deputy Commissioner,
Hassan District

Rel 111-41-129

125 v/L

Extract from the resolutions of the Meeting of the Municipal Council, Hassan, held on the 18th July 1942

x x x

III (A) Deferred Subject

Delegation of powers to President, Vice President and Chief Officer

Resolution Deferred

Sd B A Sampath,
President,
Town Municipal Council,
Hassan

COPY

Deputy Commissioner,
Hassan District

I S D

Mc 111-41-12, 135a/L

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 25th August 1942.

No. M1 C 1027/41.

From

N S Hirannayya, Esq., M.A.,
Deputy Commissioner, Hassan District

To

C. Narayanaswamy Naidu, Esq , B.A., B L ,
Secretary to Government, Law Department, Bangalore

Sir,

Delegation of power to the Chief Officer of Hassan Town Municipal Council in the matter of the disposal of House Building license applications

---

In continuation of my letter of Even No dated 4-8-1942 on the above subject, I have the honour to state that inspite of instructions issued the council have again deferred the subject at their meeting held on 10-8-1942 An extract of the resolution of the Municipal Council is herewith enclosed for favour of information

I may add that the Municipal Council is purposely putting off the subject and they do not seem to realise that the provisions of the Municipal Act should be followed The existing byelaws on the subject framed prior to the introduction of the New Municipal Act are not evidently valid and may not be allowed to be followed any further

As already recommended in this office letter No M1 C 1027/41 dated 21-9-1941, I request you to kindly obtain sanction of Government to direct the Municipal Council to adhere to the provisions of the Municipal Act Such portions of the old byelaws as are inconsistent may also be repealed or amended as the Municipal Council have failed to consider the subject

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District.

I S.D.

Extract from the resolutions of the meeting of the Municipal Council held on the 10th August 1942

---

x x x

XI Letter No MI C 1027/41 dated the 2nd August 1942 from the Deputy Commissioner, re delegation of power of granting house building licenses to the Chief Officer

RESOLUTION D E F E R R E D.

Sd/ H.S. Ramaiah,
President,
Town Municipal Council, Hassan

x x

" E x t r a c t
H.S Ramaiah
President,
Town Municipal Council,
snk H a s s a n

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

ate of issue 8/9/42

Signed by Asst Q R.

List of enclosures

Copied by

Examined by

Section Mil

File No III—41

Serial No 122

No L 2782

To

The D C Hassan Dist-

Sir,

With reference to the correspondence ending with your letter no Mil C 1027/41 d 25-8-42 regarding the delegation of powers to the Chief Officer of the Hassan Town Municipality in the matter of the disposal of ~~House Building Licence~~ applications for House building licence I am directed to state that the present practice of arranging Committee of the Whole for disposing of ~~House~~ applications

licenses for
house
for building ~~houses by the Hanging~~
~~Committee~~, though the power in question
is vested in the Chief officer of the Municipality ~~under~~
~~the provisions of Statute~~
(is highly irregular) laws passed to the provisions of
the Statute accordingly
Further, ~~As~~ the Municipal Council
have not taken necessary action
to revise the bye-laws on the subject
So as to bring them into conformity
with the provisions of the Mysore Town Municipalities Act, 1933, though instructed by that officer
thro' office letter no L 6248 d 2nd January 42,
In these circumstances, I am ~~to~~
to request you to advise the Hassan
Town Municipal Council suitably & to intimate to them
that if the
bye-laws in question are not revised
within ~~two~~ months from date, further
action in the matter will be taken by Govt under
Sections 204 and 205 of the Mysore Town Municipalities Act.

~~The~~ report of action taken by the Municipal Council
in the light of these instructions may kindly be
~~reported~~ submitted to Govt by the 10th May 1942
~~very early to further the matter~~

Yours faithfully,
for
for Secy to Govt
Law Dept.

Ex

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 2782 / Jud III-41-122 *Dated, Bangalore,* 8th September 1942.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Deputy Commissioner,
Hassan District

Sir,

With reference to the correspondence ending with your letter No Ml.C 1027/41 dated 25th August 1942 regarding the delegation of powers to the Chief Officer of the Hassan Town Municipality in the matter of the disposal of applications for House Building license, I am directed to state that the present practice of the Managing Committee of the Municipal Council disposing of applications for licenses for house building is highly irregular and opposed to the provisions of the Statute according to which the power in question is vested in the Chief Officer of the Municipality. Further, the Municipal Council have not taken necessary action to revise the bye-laws on the subject so as to bring them into conformity with the provisions of the Mysore Town Municipalities Act, 1933, though instructed to that effect in this office letter No L 6248 dated 2nd January 1942 In these circumstances, I am to request you to advise the Hassan Town Municipal Council suitably and to intimate to them that if the byelaws in question are not revised within two months from date, further action in the matter will be taken by Government under Sections 204 and 205 of the Mysore Town Municipalities Act 1933

A report of action taken by the Municipal Council in the light of these instructions may kindly be submitted to Government by the 10th November 1942

I have the honor to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Law Department

Office of the Deputy Commissioner,
Hassan District,

No M L C 1027/41-42 Dated Hasan, the 16th November 42

From

N S Hirannayya, Esq , M A ,

Deputy Commissioner, Hassan District

To

C Naravaraswami Naidu, Esq , B A B L ,
Secretary to Government, Law Department,
B a n g a l o r e

Sir,

Subject - Draft byelaws re delegation of powers to the Chief Officer, regarding the disposal of House Building licenses application, Hassan Town Municipal Council

---

Adverting to your letter No L 6248/M1 111-41-38 dated 22nd Oct 42 and subsequent reminders calling for a report together with the draft byelaws framed by the Byelaw Committee of the Hassan Municipal Council re the delegation of powers to the Chief Officer for granting house building licenses, I have the honor to forward herewith a Copy of the draft byelaws framed by the byelaw committee together with the copy of the resolution of the Municipal Council at their meeting held on 24th October 1942 for favour of sanction of Government

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

as

[illegible] of the General Meeting of the Municipal [illegible] September 1942 held at 9 A M in the Town [illegible]. Hassan. on 24-10-42

x x x x x x

Regarding the Delegation of powers to the Chief Officer in the matter of the disposal of House Building xxx License applications

Ref - (Law Secretary's No.L 2782/M1 111-41-122 dated 8-9-42 received with Deputy Commissioner"s No M1 C 1027-41 dated 15-9-42)

Draft Rules framed under section 35 of the Town Municipal Act

Resolution - The draft rules as prepared by the Byelaw committee on 13-4-42 delating powers to the Chief Officer are approved and the sanction of Government may be obtained

x x x x x x x

Sd/- A S Mallappa,
President,
Town Municipal Council, Hassan

==========

"Extract"

Deputy Commissioner,
Hassan District

Rules regarding the delegation of powers and duties to the Chief Officer Hassan Town Mpty
(framed under Sections 38 of the M T M Act, 1933)

CHIEF OFFICER

1 He should exercise all powers given to him under the Municipal Regulation, subject to the control of the President

2 He is incharge of all Office work All official communications received and sent out on behalf of the Municipal Council, and the communications from all officers and officials to the President, Vice-President or the Council shall pass through him

3 Communication from all Officers and Officials of the Municipality to the President, Vice-President or the Council, shall be sent through the Chief Officer

4 The Chief Officer shall be responsible to the Council, for the collection of all dues to the Council

2 He shall scrutinise estimates prepared by the Sanitary Inspector and will check measure all works undertaken by the Municipality, the Final measurements being checked by the President or Vice-President

3 The Chief Officer shall see that proper work is turned out by the Municipal Vaccinator, Midwife and the Sanitary Inspector

4 The Chief Officer can order purchase of stationery and conservancy articles not exceeding Rs 10/- in value, the expenditure being of course within the Budget allotment, subject to the approval of the President

5 He shall be in charge of the Impreset account

6 He shall supervise all work connected with Octroi and Toll

10 - Every decision of the President, Vice-President and Chief Officer is subject to revision and open to appeal by the Council

Sd/- A S Mallappa

President, Town Municipal Council, Hassan

"Copy"

for Deputy Commissioner,
Hassan District

as for Secy to Govt Law Dept

Appendix F G —1]

SUBJECT

Section Rel
File No 111-44
Serial No 136

Diary No of letter replied to

No L 7395

To

General and Revenue Secretariat

( )

the *194*

Date of issue 29 / 43

Signed by Mr GP Rao

List of enclosures

Copied by Rad 28/1

Examined by

Mr D.C Hassan Dist Collr,

With reference to the correspondence ending with your letter no RC 1027/41-42 dated the 26th Nov 42 forwarding for sanction the rules framed by the Hassan District for the delegation of certain powers to the Chief Officer of the Mty, I am directed to state that, for the purpose of empowering the Chief Officer of the Mty to deal with applications for the grant of

WD 04161—GPB—60 000— 24 10 41

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 29 / 43

Signed by Mr GP Rao

List of enclosures

Copied by Rad 28/1

Examined by

Section Mel

File No 111-44

Serial No 136

No L 7395

To

The D C Hassan Desai

Esq,

With reference to the correspondence ending with your letter No MLC 1027/41-42 dated the 26th March 1943 forwarding for sanction the rules framed by the Hassan Municipal for the delegation of certain powers to the Chief Officer of the Mlty I am directed to state that, for the purpose of empowering the Chief Officer of the Mlty to deal with applications for the grant of

Housebuilding licences at the place,
it would be sufficient if the building
bylaws now in force in the Hills are suitably
revised, wherever necessary and Rule no
23 empowering the Managing Committee to deal
with such applications as deleted so as to be
in conformity with the provisions of the Statute,
according to which the Chief Officer has to exercise
the aforesaid power. The Station Health Officer may be consulted
according

In regard to the rules now submitted,
I wish to observe that ~~they should on the first~~
~~distance be framed under Sec 35 of the~~
~~Act~~ the draft as framed appears, they
are in the
or Superintendent as they
vague & provide for such powers as are
already being exercised & could be exercised
by the Chief Officers under Sec. 7 & 33 of the Act,
they need to be examined with regard to the powers
if any, exercisable or delegated to the Vice President, in accordance
with Govt order 9083-G/37 dated 118-37 &
29 5 G/31 For the present, action may be
taken as indicated in para 1 above & the
result intimated to Govt, so that the subject matter
of the circular may be closed.

Thaweeh
Asst
13
Asst Secretary to Govt
Law Dept

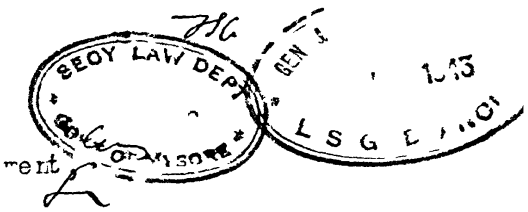
No M L C.1027/41-42. Office of the Deputy Commissioner,
Dated Hassan, the 28th June 43

From

N S Hiranmayya, Esq , A ,
Deputy Commissioner, Hassan District

To

C Narayaraswamy Naidu, Esq , B A B L ,
Secretary to Government, Law Department
Bangalore



Sir,

Re delegation of powers to the Chief Officer in Hassan Municipality.

With reference to your letter No L 7385 a1 111-41-136 dated 29-1-43 on the above subject, I have the honor to state that the Hassan Municipal Council in their Meeting held on 24-4-43 have resolved to delete the rule 23 of the house building bye-laws and to revise the same suitably. A copy of the said resolution and the revised house building bye-laws are herewith enclosed for kind information of Government as required in your letter referred to above

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District

Proceedings of the ordinary general meeting held on 24-4-43 at 9-30 A M

*-**

Subject No 1V Letter No L 7305/11 111-41-130 dated 29-1-43 from the Law Secretary to Government in connection with the delegation of powers to the Chief office to grant licenses for construction of houses by amending the existing bye-laws now in force suitably whereever necessar and by deleting rule 23 of the Manging Committee bye-laws

Resolution - Resolved that rule No, 23 relating to the powers of the manging committee be deleted, and the house building bye-laws be suitably revised

" Copy " sd/-A S Mallappa
President

President

1-L

(1) Rules framed by the Hassan Town Municipal Council under Section ~~27~~ 29, 46 (a) and (b) (1) of the ~~Mysore~~ Town Municipal ~~Regulation~~ Act, VIII of ~~1900~~ 1933, regarding the appointment and constitution of the Managing Committee, the delegation of powers and the conduct of business at the meeting of the said committee, ~~(and approved by Government in Government order No 614c-41 162-15-2, dated 21st February 1946)~~

*** ****

1 A managing committee shall be, formed composed of six members to be elected by the Municipal Councillors for each official year

2 The managing committee shall meet once in fifteen days on a day and hour to be fixed by the said committee for the transaction of business. The first meeting shall be convened by its Chairman

3 The Municipal Council shall nominate the Chairman of the committee unless there is an Ex-officio Chairman under section ~~33 (1)~~ 31 (1) (a) (2), Town Municipalities Act of the ~~Municipal Regulation~~ The Chairman shall always have a casting vote

4 Three members shall form a quorum

5 If, at a meeting the quorum is not present, the meeting shall be adjourned to some other day not more than seven days distant and the business shall be transacted, at the adjourned meeting

6 If the quorum be present then, (a) every question of a meeting shall be determined by a majority of votes of the Members present, and (b) in the case of an equal division of votes, the Chairman shall have casting vote

7 The rules relating to the conduct of business at the General Municipal meetings shall mutatis mutandis apply to the managing committee meeting

8 Any member of the managing committee absent from three successive meetings of the committee, except on the grounds of ill health, or his previously notifying to the managing

P T O

to take the managing committee absent verbally or in writing inability to attend for a definite period, such period not exceeding three months in any case shall be considered by the managing committee at their option to have vacated his seat on the committee permanently for the year His place shall be filled up by the Municipal Council as prescribed in Rule (1)

9 In special or emergent cases, the Chairman may obtain orders of the managing committee by circulation of papers

10 When a resolution arrived at by the managing committee proposed to be amended or cancelled by not less than half the numbers of the managing committee, such resolution together with amendments or alterations proposed in modification or cancellation of the same, shall be placed before the next meeting of the Municipal Council for their decision in the matter

11 The minutes of the managing committee for each month shall be laid before the next ordinary General meeting of the Council for information

12 The managing committee may themselves order the execution of any emergent work which does not involve an expenditure of more than twenty rupees, provided the state of the Municipal funds admits of it, without interference with the works already sanctioned by the Municipality All expenditure incurred the provisions of this rule by the managing committee shall be reported to the Municipal Council at their next General meeting

13 Except as provided in the above rule, no work shall be undertaken or commenced by the managing committee without the previous sanction of the Municipal Council

14 The chairman shall prepare an abstract of the business to be transacted at each meeting of the managing committee and shall send a copy to each member at least one day before the meeting No business other than that entered in the Chairman's abstract shall be disposed of at any meeting except with the concurrence of at least three members present at such meeting

15 Copies of minutes of the managing committee shall be sent to the mebers of the managing committee at least one day before the next following meeting the minutes as submitted,may,if necessary,be corrected at this meeting so as to make clear the sense of the original resolution

12 ~~16~~ It shall be the duty of the Chairman to keep a record of the minutes of the proceeding of the managing committee

17 Every member of the managing committee is entitled to peruse or inspect any peper or document or the records ~~xxx~~of ~~xxxxxxxxxxxxxxx~~the Municipality provided that he does not make or take away copies of any Municipal records without the permission of the President

13 ~~18~~ The ~~President~~ Chairman may,at his discretion,take the initiative in bringing to the notice of the managing committee,abuses,reforms, alterations and improvements which he may deem deserving of consideration

14 ~~19~~ Any member of the managing committee may bring to the notice of the managing Committee any delay of irregularity in the disposal of the work connected with the Municipality and the managing committee shall then take such action as they may consider necessary in each case

15 ~~20~~ It shall be at the discretion of the ~~President~~ Chairman to watch over the action of the committee and bring to its notice and, if necessary,to the notice of the municipal Council,any instances in which they seem to have erred,neglected,or delayed their functions and also to suspend,pending a reference to the Municipal Council,the operation of any order passed by the committee which appears to him to be open to objection in law or in policy and when issuing such an order,he shall call a special General meeting of the Council to consider the matter within five days

16 ~~21~~ The managing committee shall have power to inspect and control the following items -

1 Lighting
2 Water supply
3 Slaughterhouse

4 Octroi Katte

5 Cattle pound

6 Vaccination centres,

7 Hotels, Chattrams, Dharmasalas and other buildings, and ~~articles~~ markets

8 Cloth shops and other places, where dutiable artic are sold

9 Drains and drainage

17 ~~22~~ The managing committee shall have power to inspect and recommend grant of sites applied for, for building and other purposes

23 They shall have power to grant licenses for the etection of buildings pendals, and temporary structures for shows and dramas, etc, as also for removing stones, kunkar, gravel, etc, and to report to the Council in important matters relating to encroachments, sanctioned and any other other matters of public and general interest

Deleted

~~sd/ G. Subramma~~

~~for President~~

G. Subramma

President

Municipal Council

Hanamkonda

8/6/43

52-58

-- 1 ---

By-laws for regulating buildings and other structures in the Hassan Town Municipality sanctioned in G O No L 7208-Ml 5521-17 175, dated 1st June 1922

1 Notice to be given to President or Chief Officer by person intending to build

Every person intending to erect or re-erect within the meaning of sections 92 to 96 of the Mysore Town Municipal Act 1933 No V11 of 1906, any building in the Town of Hassan shall give notice in writing of his intention to the President

Such notices shall be accompanied in duplicate with a site plan of the land on which the structure is proposed to be built drawn to a scale of not less than to 10 feet to an inch showing

(a) the position, nature and use of the existing buildings thereon, if any, and of the building to be erected on the land,

(b) the area to be occupied by the building and out-buildings on the land,

(c) the names (if any) or description of the adjacent, roads, or streets, buildings culverts, and

(d) the number of the lot and the name or number of the block and street or road in which the land is situated

Provided, it shall be sufficient for the site plan to show to the satisfaction of the President or the Chief Officer, without scale, the site of the proposed building and its position on the land, together with the position of the land with reference to adjacent buildings or lands

The license and the plan shall be produced by the party when called upon to do by the Municipal authorities at all reasonable times

No piece of land shall be used as a site for the erection of a building intended for human occupation-

P T O

(a) if the building is to abut a street unless the site is such of such a shape that the building can be made parallel to the line of the street

(b)if the site on tanks or ballas filled up with or used for depositing rubbish offensive matter or sewage,unless such site has been certified by the President as fit to be built upon

(c) if the site is one which has been filled up with or used as a place for depositing excrementitious matter or carcases of dead animals or other filthy,or offensive matter,until such matter shall have been properly removed to the satisfaction of the President or shall in his opinion have become irrocuous,

(d)unless the site is certified by the President tobe dry and well drained or capable of being well drained,

(e)if the site is on a lower level than will allow its drainage to be led into some existing or projecting sewar

11 Buildings not to be errected on a Municipal drain

No building shall be erected over a Municipal drain

111 Pits not to be excavated in building sites -

No pits shall be excavated in the sites allotted for building dwelling houses

1V Building sites not to be surrounded by lantanaetc-

No building site shall be surrounded by a hedge of lantana,alo prickly pear or other objectionable plant,or by a fence of barbed iron wire

Margin to be left beween house and side drains-

No new building shall be erected by any person the foundation of the wall of which along the road,street or lane,is less than 1½ feet from the side drain,but it shall be competent to the President of the Municipal Council to require a margin of land to any width not exceeding 3 feet,in cases in which he consider the same necessary;In such cases,a reasonable compensation shall be paid for any excess of land over 1½ feet with drain margin

P T O

VI Level of Plinth-Every person who shall erect domestic buildings shall cause the same to be built with a plinth not below 1½ feet above the general level of the ground around and 1½ feet above top of side drain,

VII Eaves not to project beyond street drain-

the eaves of the buildings, sunshades to windows, water-spouts to drain roof-water shall not project beyond the side street drain adjoining the house and the spouts shall be led down to the ground

VIII Sunshades not to be erected beyond outer edge of the side drain-

No sunshades for shops either temporary or permanent shall be erected beyond the outer edge, i e, the edge towards the house side of the drain

IX Frontage - Every house shall have a decent frontage in keeping with the surroundings and no perishable or inflammable meterials shall be used for construction

X Ventilation of rooms - Every person shall so constuct every room that shall be ventilated by means of doors or windows which open directly into the external air and have an aggregate opening equal to not less than 1/10th of the floor space

XI No market place, etc to be built in the midst of residential localities-No market place, manufactory, place of public resort etc, shall be built in the midst of localities intended for residential purposes, unless three-fourths of the numbers of owners in the block or area affected agree to the same

For the purposes of this Bye-laws it shall be competent to the President of the Municipal Council to determine what is a residential area and what is not,

XII Conservancy of the premises- Every house holder is bound to conserve the house occupied by him and the grounds attached to the same All such premises must be provided with a suitable drain constructed in accordance with specification supplied by the President or Chief Officer for the drainage of the house and

of the house and compound, for the removal of sullage water sewage to the nearest existing street drain commanded by t level of the house and the grounds pertaining thereto the owner of the house is bound to construct such drains within 30 days from the date of the notice served on him by the President or chief officer calling on him to construct the recuired drain or drains in default the President is competent to order the construction of the required drain or drains at owner's risk and cost

XIII No room etc , to be constructed over a privy- No person shall construct over a privy whether new or old, any structure of any description

XIV Privies to be constructed on sites approved by the President -A person who shall construct with a building or not shall construct such privy upon such site or in such positions and manner only as shall be approved of by the President or chief officer Every privy shall have its floor of a material which has a smooth surface and which is impefvious to water and shall have a smooth non-absorbent coating of cement or tar to a height of not less than 3 feet above the floor of such privy

XV Proximity of privies to water-supply- A person who shall construct a privy in connection with a building shall not, without the permission of the President, or chief officer construct such privy within a distance of 20 feet from any well, spring or stream of water used or likely to be used by man for drinkin or other domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution

XVI Ventilation of privies - Every person who shall construct a privy in connection with a building shall so construct the same as to leave an external air space of not less than 4 feet in width from the building and open to the sky, surrounding such privy on every side thereof except the en trance side where any gallery or passage communicating with

with such privy shall be not less than 3 feet in width,and shall be open to the external air on both sides

XVII Cleaning of latrines and manure pits -
Uncleaned latrine pits,within the precincts and in proximity to a house shall be cleaned and filled up within two days' notice to to that effect from the President considers it necessary in any particular case or cases to extend the period

XVIII Incomplete buildings to be completed within one year of notice and in default President to take action and recover cost of demolation - Any person who shall be given a license for erecting a new building in accordance with the aforesaid bye-laws,and shall leave the same incomplete for any length of time exceeding six months shall be bound,on being served with a notice in this behalf,to finish and complete the building within a reasonable time to be fixed by the President,for completion of the same in default,the President shall be competent to take needful action under Section 109(6) Town Municipalities Act 1933. ~~131 of the Mysore Municipal regulation~~

Person intending to build may apply to President for information If any person has any doubt or difficulty as to the true intent or meaning of any matter connected with these rules or the requirements thereof,he may before giving notice,in writing,of his intention to erect or re-erect any building,apply to the President who shall upon receipt of such application,give the said person within a week,such information as in the circumstances may be necessary

Penalties - Every person who shall commit any breach of any of the foregoing byelaws shall be punishable with fine which may extend to Rs 200 on conviction before a Magistrate,as provided in the ~~Municipal Regulation, III of 1900,~~ Town Municipalities Act VIII of 1933 Section 109(6) ~~(II)~~

President
Municipal Council
Hanur

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 30/5/43

Signed by Jt Sd G R Rao

List of enclosures

Copied by

Examined by

1.w 6.8.43

Section Hill

File No 111-41

Serial No 1407

No L 1743

To

The Deputy Commr:

Hassan

Sir,

Subject: Delegation of certain powers to the Chief Officers, Hassan Municipality in regard to the grant of licenses for the construction of houses within the Municipal limits.

With reference to the correspondence ending with your letter No NLc 1007/41-42 dated 29 6 1943 on the above subject, I am directed to convey the approval of Govt

to delete rule 23 of the rules
relating to the appointment & constitution
of the managing Committee etc in the Warsan
Township, approved on 6 to 6 146 / Rul 160-15-2
dated 9-3-1916 similarly the addition of the
term "Chief officer" wherever necessary in the
byelaws relating to the constitution of Indigs
within the limits as also approved

2. — In this connection it is observed
that it is proposed to modify the rule
relating to the working of the Managing Committee
by deleting some more rules. This proposal is
not covered by the resolution of the Rul dated 4 4 3
As however, these rules as well as the Panchayat
byelaws for are framed only after the requirements
they have to be brought up to date & framed
under the provisions of the Punjab Act which may accordingly be
Township Act 1933 (necessary action advised to take
to
~~may accordingly be taken~~ early and to
the Rules in question of the Warsan
revised byelaws Rule 2 for the approval
of Govt, after observing the prescribed
formalities

I have etc
sd/-
Asstt Director Local Fund Audit
Lahore

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L1743 / ML 111-41-147

Dated Bangalore, 10/8

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Deputy Commissioner,
Hassan District.

DELEGATION OF CERTAIN POWERS TO THE CHIEF OFFICER, HASSAN TOWN MUNICIPALITY IN REGARD TO THE GRANT OF LICENSES FOR THE CONSTRUCTION OF HOUSES WITHIN THE MUNICIPAL LIMITS etc.

S i r ,

With reference to the correspondence ending with your letter No M.L.C. 1027/41-42 dated the 29th June 1943 on the above subject, I directed to convey the approval of Government to delete Rule 23 of the rules relating to the appointment and constitution of the Managing Committee etc., in the Hassan Town Municipality, approved in Government Order No. 6116/11. 168-15-2 dated the 21st February 1916. Similarly the addition of the term " Chief Officer " wherever necessary in the bye-laws relating to the construction of buildings within the Municipal limits is also approved.

2. In this connection it is observed that it is proposed to modify the rules relating to the working of the Managing Committee by deleting some more rules. This proposal is not covered by the resolution of the Municipal Council dated the 24th April 1943. As, however, these rules as well as the house-building bye-laws were framed long ago, under the Mysore Municipal Regulation of 1903, they have to be brought up to date and framed under the provisions of the Mysore Town Municipalities Act 1933. The Hassan Town Municipal Council may accordingly be advised to take the necessary action early and to revise the rules and bye-laws in question and to submit them for the approval of Government

vernment, after observing the prescribed formalities.

I have the honor to be,
S i r,
Your most obedient servant,

Jr Secretary to Government,
Law Department.

P.H.

No GL 3476/41-42
Encls

OFFICE OF THE PRESIDENT
TOWN MUNICIPAL COUNCIL

Shimoga, Dated 7th November 194

From

THE PRESIDENT,
TOWN MUNICIPAL COUNCIL,
SHIMOGA

To

The Superintendent,
General and Revenue Secretariat,
Local Self Government Branch,
Public Offices, Bangalore

Dear Sir,

With reference to your kind letter No L 3548 dated 6-11-41 re empowering the Chief Officer of this Municipality to dispose of the House Building licenses, I beg to state that the matter is cortained in Development Secretaries letter No L 3972/M1 62-35 dated 28-11-1936 to the Deputy Commissioner, Shimoga District (2) Copy of that letter is not available in this office, in case you require it, please intimate, I will request for a copy in the Deputy Commissioner's office and submit the same

Yours Sincerely,
A G Ramaswamy 7/11/41
CHIEF OFFICER,
Shimoga Town Municipal Council

A thorough search was made in the records to find out the referred Collection and it could not be traced
The Chief officer is addressed again to send a copy of the re
KWC
21/11/41

C 1- 54/41-42
Encl one

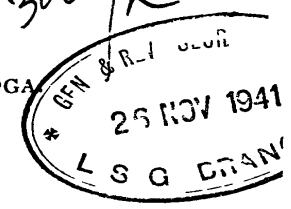
TOWN MUNICIPAL COUNCIL

Shimoga, 25th November 19 41.

3086/L

From

THE PRESIDENT,
TOWN MUNICIPAL COUNCIL, SHIMOGA



To

The Superintendent,
Local Self Government Branch,
General and Revenue Secretrait,
Bangalore

Dear Sir,

With reference to your D O No L 4267 dated 21-11-1941 re powers of Chief Officer in granting Building Licenses, I write to state that there is no Government order, and a copy of letter No L 3972 of M1 21-62-39 dated 28-11-1936 of the Development Secretary to Government is enclosed for your reference

Yours Sincerely,
A G [illegible]
25/11/41
CHIEF OFFICER,
Shimoga Town Municipal Council

62-35

No L 3972/Ml 2162-35 dated 28th November 1936

From

The Secretary, to Government of His Highness
the Maharaja of Mysore,
Development Department, Bangalore

To

The Deputy Commissioner,
Shimoga District,
Shimoga

Sir,

With reference to the correspondence ending with your letter No M3 P R 313 C 1388/35 dated 14-9-1936 reporting in the circumstances explained sanction to dissolve the Building Committee of the Shimoga Town Municipal Council constituted during the year ~~1936~~ 1916 as per Government order No 1774 of Ml 50-15-27 dated 7-9-1936, I am directed to state that consequent upon the passing of the Town Municipalities Act of 1933, and the appointment of a Chief Officer, the rules of 1916 have become inoperative

The Building Committee of the Municipal Council canrot exercise the powers and functions which have been ~~xxxxxxx~~ specifically delegated to the Chief Officer under section 211 of the Town Municipal Regulation and any further continuation of such a body would be repugnent to the provisions of the new Regulation I am to add that the Building Committee may be considered to have become non-existent especially as all the powers of granting licenses for building houses etc , have to be exercised by the present Chief Officer of the Municipality

These facts may be brought to the notice of the Municipal Council and they may be advised to take necessary action in the matter

The records accompany,

I have the horour to be,
Sir,
Your most obedient servant,
Sd/- Mudhukrishnappa
For Secretary to Govt Development Dr

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